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Attorneys for Plaintiff, Steve Karagiosian

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

OMAR RODRIGUEZ; CINDY GUILLEN-
GOMEZ; STEVE KARAGIOSIAN;
ELFEGO RODRIGUEZ; AND JAMAL
CHILDS,

Plaintiffs,

-vs-

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE.

Defendants.

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK,

Cross-Complainants,

-vs-

OMAR RODRIGUEZ, and Individual,

Cross- Defendant.

//

CASE NO.: BC 414 602

Assigned to: Hon. Joanne B. O'Donnell, Judge
Dept. 37

Complaint Filed: May 28, 2009

NOTICE OF ENTRY OF JUDGMENT

TRIAL:

DATE: March 19, 2012

TIME: 10:00 a.m.

DEPT: 37

1 TO ALL PARTIES AND TO THEIR ATTORNEYS OF RECORD:

2 PLEASE TAKE NOTICE that on May 2, 2012, the Honorable Joanne B. O'Donnell, Judge,
3 after hearing argument from Solomon E. Gresen, of the Law Offices of Rheuban & Gresen, attorneys
4 for Plaintiff Lawrence A. Michaels of Mitchell Silberberg & Knupp, attorneys for Defendants and
5 Linda Miller Savitt of Ballard Rosenberg Golper & Savitt, attorneys for Defendant, executed the
6 Judgment on Special Verdict and indicated on the record that Judgment was entered. Said Judgment
7 on the Special Verdict was signed and entered on May 2, 2012 in favor of Plaintiff, STEVE
8 KARAGIOSIAN and against Defendant CITY OF BURBANK in the above-entitled matter.

9 A conformed copy of said Judgment on Special Verdict is attached hereto and marked as
10 Exhibit "A".

11
12 Dated: May 3, 2012

LAW OFFICES OF RHEUBAN & GRESEN


13
14 By: 
15 Robert C. Hayden
16 Attorneys for Plaintiff, Steve Karagiosian

EXHIBIT A

CONFORMED COPY
ORIGINAL FILED
Superior Court of California
County of Los Angeles

MAY 02 2012

John A. Clarke, Executive Officer/Clerk
By E.T. Espinoza, Deputy

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES
CENTRAL DISTRICT

OMAR RODRIGUEZ; CINDY GUILLEN-
GOMEZ; STEVE KARAGIOSIAN; ELFEGO
RODRIGUEZ; AND JAMAL CHILDS,

Plaintiffs,

v.

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK; AND DOES 1 THROUGH
100, INCLUSIVE,

Defendants.

CASE NO. BC 414602

*Assigned To The Honorable Joanne
O'Donnell; LASC Department 37*

**[DEFENDANT'S PROPOSED]
JUDGMENT AFTER JURY TRIAL**

File Date: May 28, 2009

Trial Date: Mar. 19, 2012 (Pltf Karagiosian)

BURBANK POLICE DEPARTMENT; CITY
OF BURBANK,,

Complainants,

v.

OMAR RODRIGUEZ, an Individual, ,

Defendant.

1 This action came on regularly for trial on March 19, 2012, in Department 37 of the above-
2 entitled Court, the Honorable Joanne O'Donnell presiding, as to the claims brought by Plaintiff
3 Steve Karagiosian against Defendant City of Burbank. Plaintiff Steve Karagiosian appeared by
4 attorney Solomon Gresen of Law Offices Of Rheuban & Gresen. Defendant City of Burbank
5 appeared by attorneys Linda Miller Savitt of Ballard Rosenberg Golper & Savitt, and Lawrence A.
6 Michaels of Mitchell Silberberg & Knupp.

7 A jury of twelve (12) persons was regularly impaneled and sworn and agreed to try the
8 cause. Witnesses were sworn and testified. After hearing the evidence and arguments of counsel,
9 the jury was instructed by the Court and the cause was submitted to the jury with directions to
10 return a special verdict. The jury deliberated and thereafter returned to court with its special
11 verdict on April 5, 2012, which verdict was in words and figures as follows:

12 We, the jury in the above-entitled action, find the following special verdict on the issues
13 submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against Defendant
14 CITY OF BURBANK:

- 15
16 1. Was Mr. Karagiosian subjected to unwanted harassing conduct because he is
17 Armenian on or after May 27,2008?

18 ☒ Yes ☐ No

19 If your answer to question 1 is yes, then answer question 2. If you answered no,
20 stop here, answer no further questions, and have the presiding juror sign and date
21 this form.

- 22 2. Was Mr. Karagiosian also subjected to unwanted harassing conduct because he is
23 Armenian before May 27,2008, which conduct was all of the following: (a) similar
24 in kind to the conduct occurring on or after May 27,2008; (b) occurred with
25 reasonable frequency; and (c) had not become permanent?

26 ☒ Yes ☐ No

27 Answer question 3.

- 28 3. Was any of the harassing conduct which you found to exist in response to questions
1 or 2 committed by a supervisor?

☐ Yes ☒ No

1 Answer question 4.

- 2
- 3 4. Was any of the harassing conduct which you found to exist in response to questions
- 4 1 or 2 committed by a non-supervisor, and: (a) Burbank, its supervisors, or its
- 5 agents knew or should have known of such conduct; and (b) Burbank, its
- 6 supervisors, or its agents failed to take immediate and appropriate corrective
- 7 action?

8 ☒ Yes ☐ No

9 If your answers to questions 3 or 4 is yes, then answer question 5. If your answers

10 to both questions 3 and 4 are no, stop here, answer no further questions, and have

11 the presiding juror sign and date this form.

- 12
- 13 5. Was the harassing conduct which you found to exist in response to questions 3 and
- 14 4 severe or pervasive?

15 ☒ Yes ☐ No

16 If your answer to question 5 is yes, then answer question 6. If you answer no, stop

17 here, answer no further questions, and have the presiding juror sign and date this

18 form.

- 19
- 20 6. Would a reasonable person in Mr. Karagiosian's circumstances have considered the
- 21 work environment to be hostile or abusive?

22 ☒ Yes ☐ No

23 If your answer to question 6 is yes, then answer question 7. If you answered no,

24 stop here, answer no further questions, and have the presiding juror sign and date

25 this form.

- 26
- 27 7. Did Mr. Karagiosian consider the work environment to be hostile or abusive?

28 ☒ Yes ☐ No

If your answer to question 7 is yes, then answer question 8. If you answered no,

stop here, answer no further questions, and have the presiding juror sign and date

this form.

8. Was the harassing conduct a substantial factor in causing harm to Mr. Karagiosian?

☒ Yes ☐ No

1 If your answer to question 8 is yes, then answer question 9. If you answered no,
2 stop here, answer no further questions, and have the presiding juror sign and date
3 this form.

- 4 9. Did Mr. Karagiosian prove that Burbank failed to take reasonable steps to prevent
5 harassment from occurring?

6 ☐ Yes ☒ No

7 Answer question 10.

- 8 10. What are Mr. Karagiosian's damages?

9 \$225,000

- 10 11. Did Burbank prove Mr. Karagiosian could have avoided some or all of his damages
11 if he had used Burbank's harassment complaint procedures?

12 ☒ Yes ☐ No

13 If your answer to question 11 is yes, then answer question 12. If you answered no,
14 stop here, answer no further questions, and have the presiding juror sign and date
15 this form.

- 16 12. What amount of damages could Mr. Karagiosian have avoided if he had used
17 Burbank's harassment complaint procedures?

18 \$75,000

19 If you find in favor of Mr. Karagiosian regarding his harassment claim, complete
20 the Special Interrogatories form.

21 Please sign and date this form.

22 Signed: _____ Dated: April 5, 2012

23 Presiding Juror

24 **[NOTE: Answer the following special interrogatories only if you find in favor of
25 Plaintiff Steve Karagiosian on his harassment claim.]**

26 We, the jury in the above-entitled action, find the following special interrogatories on the
27 issues submitted to us as to the claims brought by Plaintiff STEVE KARAGIOSIAN against
28 Defendant CITY OF BURBANK:

1. Did the conduct on which you based your findings occur within a year of the date on which Mr. Karagiosian filed his DFEH charge (i.e., on or after May 27, 2008)?

☒ Yes ☐ No

Answer Question 2.

2. Was the conduct on which you based your findings on or after May 27, 2008, reasonably frequent?

☐ Yes ☒ No

Answer Question 3.

3. Was the conduct on which you based your findings on or after May 27, 2008, severe or pervasive?

☐ Yes ☒ No

Please sign and date this form.

Signed: _____/s/_____ Dated: April 5, 2012

Presiding Juror

Prior to the trial, on December 2, 2010, at 9:00 a.m., Defendant City of Burbank's Motion for Summary Adjudication of Issues Against Plaintiff Steve Karagiosian, came on regularly for hearing in Department 37 of the above-entitled Court, the Honorable Joanne O'Donnell presiding. Solomon Gresen of Law Offices of Rheuban & Gresen appeared for Plaintiff Steve Karagiosian. Christine T. Hoeffner of Ballard Rosenberg Golper & Savitt appeared for Defendant City of Burbank.

After considering the papers filed in support of and against the Motion and hearing argument of counsel, the Court granted summary adjudication on the following causes of action:

(1) In favor of Burbank and against Karagiosian on the first cause of action in Karagiosian's First Amended Complaint for discrimination under the Fair Employment and Housing Act.

1 (2) In favor of Burbank and against Karagiosian on the third cause of action in
2 Karagiosian's First Amended Complaint for retaliation under the Fair Employment and Housing
3 Act.

4 (3) In favor of Burbank and against Karagiosian on the sixth cause of action in
5 Karagiosian's First Amended Complaint for violations of the Police Officers Bill of Rights Act.

6
7 It appearing by reason of said special verdict and summary adjudication that Plaintiff Steve
8 Karagiosian is entitled to judgment against Defendant City of Burbank as to the second cause of
9 action in Plaintiff Steve Karagiosian's First Amended Complaint for harassment under the Fair
10 Employment and Housing Act.

11
12 **NOW THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that said
13 Plaintiff Steve Karagiosian shall recover damages in the sum of \$150,000.00 from Defendant City
14 of Burbank, as well as attorneys fees in the amount of \$_____ and costs in the amount of
15 \$_____.

16
17 Date: MAY 09 2012

Joanne O'Donnell

The Honorable Joanne O'Donnell

18
19
20
21 DATED: April 23, 2012

Respectfully submitted,

MITCHELL SILBERBERG & KNUPP LLP
LAWRENCE A. MICHAELS
VERONICA T. VON GRABOW

22
23
24
25 By: V. V. MICHAELS
Lawrence A. Michaels
Veronica T. von Grabow
26 Attorneys for Burbank Police Department, City
27 of Burbank

1 **PROOF OF SERVICE**

2 STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

3 I am employed in the County of Los Angeles. I am over the age of eighteen and am not a
4 party to the within action. My business address is 15910 Ventura Boulevard, Suite 1610, Encino,
California 91436.

5 On May 3, 2012, I served a copy of the following document described as **NOTICE OF**
6 **ENTRY OF JUDGMENT** on the interested parties in this action as follows:

7 Lawrence A. Michaels
8 Mitchell Silberberg & Knupp LLP
9 11377 West Olympic Boulevard
Los Angeles, CA 90064-1683
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10 Carol Ann Humiston
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14 XX

15 **BY MAIL:** By placing a true copy thereof enclosed in a sealed envelope(s) addressed as
16 above, and placing each for collection and mailing on that date following ordinary
17 business practices. I am "readily familiar" with this business's practice for collecting and
18 processing correspondence for mailing. On the same day that correspondence is placed
for collection and mailing, it is deposited in the ordinary course of business with the U.S.
mail Postal Service in Los Angeles, California, in a sealed envelope with postage fully
prepaid.

19 —

20 **BY E-MAIL OR ELECTRONIC TRANSMISSION:** Based on a court order or an
21 agreement of the parties to accept service by e-mail or electronic transmission, I caused
22 the documents to be sent to the person(s) at the e-mail address listed above. My
electronic notification address is ag@rglawyers.com. I did not receive, within a
reasonable time after the transmission, any electronic message or other indication that the
transmission was unsuccessful.

23 XX

24 **STATE:** I declare under penalty of perjury under the laws of the State of California that
the above is true and correct.

25 EXECUTED on May 3, 2012, at Encino, California.

26 _____
Annette Goldstein